



Governor Janet Napolitano

## Action Plan for Reform of Arizona's Child Protection System

September 30, 2003



**STATE OF ARIZONA**

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September 30, 2003

Dear Fellow Arizonans:

The system for protecting Arizona's children from abuse and neglect, which has been falling apart for years due to poor design and chronic under-funding, is in critical need of repair. Recent tragedies involving drug-endangered infants, families with a history of chronic neglect, and sexual exploitation of minors, underscore the urgency for reform. While no government agency or person can prevent every parent or caretaker from harming his or her child, collectively we can do much better for our children and families.

In January, I created the Advisory Commission on CPS Reform to make recommendations on how Arizona can better carry out its mission of serving the best interests of children, particularly those most in need of protection. I encouraged this Commission to make recommendations that focused on improved outcomes for the safety, permanency and well being of our children. Over the past few months, this Commission, comprised of legislators, representatives from the courts, advocates, community providers, agency directors, and law enforcement has developed recommendations on numerous issues related to child protection and child welfare.

In addition, the full Commission formed seven subcommittees that addressed specific issues related to reports and investigations, records and hearings, juvenile justice, overall CPS structure, health care, including behavioral health, education, and CPS and the community. The membership of these groups included many community participants that play key roles in children's lives, such as foster and adoptive parents, advocates, mentors and other volunteers. More than 80 meetings were held and over 260 people from across the state participated.

Their work has now been completed and more than 200 recommendations from both the Commission and subcommittees have been submitted. The recommendations cover areas from the prevention of child abuse to adoption and other permanency options. The final Report provides detailed recommendations on how to improve the delivery of services to children and families from all state agencies and the community. I thank them for their hard work and dedication to developing such a detailed and comprehensive set of recommendations.

In August, I hired David Berns to be the new Director of the Department of Economic Security, the agency responsible for Child Protective Services. Mr. Berns recently served as the Director of the El Paso County Department of Human Services in Colorado and prior to that as the Director of the Office of Children's Services for Michigan's child welfare agency. He brings to Arizona a national reputation for finding innovative ways to deliver excellent human services in highly cost-effective ways.

Over the past month, I have hosted three public forums to seek more input into the reforms necessary to improve child protection and child welfare. DES Director Berns was also there to listen to community concerns. More than 600 people attended these hearings and 120 offered testimony. My office has also received hundreds of written comments, which Mr. Berns and I have read, offering common sense solutions to improve the CPS system.

I have listened to the recommendations and comments and am now pleased to respond with my detailed Action Plan. The Action Plan for Reform of Arizona's Child Protection System sets forth my priorities for immediately addressing the problems within the CPS system and the challenges faced by families in accessing child welfare services. A summary of the Plan, with the required changes and expected time frames, is set forth at pages 1, 2 and 3. The full Action Plan follows and addresses six areas: (1) ensuring a multi-disciplinary response to reports of abuse and neglect; (2) preventing child abuse and neglect; (3) clarifying the mission and role of CPS; (4) ensuring effective

delivery of services to children and families; (5) providing adequate support for children and families served by the system as well as those who provide services; and (6) increasing community involvement. Each of these areas is equally important to effective system reform and, therefore, should not be considered as ranked in order of priority. Also, the many detailed recommendations of the Commission and subcommittees will not be lost; wherever possible those ideas will be implemented as part of carrying out this Action Plan.

Change for the simple sake of change is not appropriate. Each change is focused on improved outcomes as to child safety and child and family well being. We must ask as a result of our efforts, are children safer? Are families provided services more effectively and efficiently? Are fewer families in need of assistance from the child protection system? Page 12 of the Action Plan identifies specific indicators of improvement in Arizona's child welfare system, which will serve as a basis for tracking, evaluating and, as appropriate, adjusting our efforts to reform the system.

CPS must have sufficient funding to operate the full range of successful and necessary child welfare and protection programs. Arizona's legislature must finally commit to fund what has become a chronically neglected child welfare agency. As I speak, CPS caseworkers lack even the basic tools to do their jobs adequately – car seats for transporting children and cell phones for when they are conducting investigations. But most troubling are the heavy caseloads our CPS caseworkers are facing today. We need to bring these caseloads down so that each child is given the time he or she deserves and so that a child in an unsafe condition is not overlooked.

For years CPS has received less funding than was required to meet the needs of Arizona's children. This year was no exception: just to be able to continue providing services at the current levels, CPS requires a supplemental appropriation of \$27 million. To bring the caseloads to national standards and ensure that all reports of abuse and neglect are investigated, an additional \$8.5 million is needed.

The need for this increase should not come as a surprise. For the past several years, the State Foster Care Review Board has recognized the chronic lack of funding in its annual reports. Earlier this year the Maricopa County Attorney's Office released a report on the CPS system, *In Harm's Way*, which also illustrates this State's historic lack of funding with more than a dozen of its recommendations requiring a significant funding increase to effectively protect children.

Many of the action steps set forth in the Action Plan will result in immediate improvements to the child protection system. I recognize, however, that not all of the problems are quick fixes. Some steps, particularly those calling for increased funding and changes to existing law, will take some time to complete and require the support of our legislature. One thing is certain – we cannot wait to implement these recommended changes in stages. We must begin to implement all of them now.

Concrete reform of the child protection system must be engineered by those individuals who do the direct, day to day work with the children and families, including CPS case managers and supervisors, law enforcement officials, foster and adoptive families, and community based providers. These critical partners must be an integral part of each action set forth in my Plan. Moreover, as already demonstrated by the tremendous interest Arizonans have shown in this process, our local communities and neighborhoods should also be key players in this effort. I encourage all of you to look for ways you can personally contribute to improving the lives of Arizona's children and families.

Yours very truly,

Governor Janet Napolitano

## **Summary of Action Plan for the Reform of Arizona's Child Protection System**

<b><u>ACTION</u></b>	<b><u>CHANGE(S) REQUIRED</u></b>	<b><u>TIME FRAME</u></b>
<b><u>Implement a Multi-Disciplinary Response to Reports of Abuse and Neglect</u></b>		
Require Joint Investigation by CPS and Law Enforcement of All Reports of Felony Abuse and Neglect	Amend Law*	Legislation proposed October 2003
Require Referral by Law Enforcement of Criminal Abuse Cases to County Attorney for Prosecution and Review of Those Cases by County Attorney within 90 days	Amend Law*	Legislation proposed October 2003
Expand Use of Arizona's Child Advocacy Centers	Identify Funding Sources	Initial identification by October 2004
Co-Locate Law Enforcement, Behavioral Health, and Domestic Violence Professionals in CPS Offices	New Policy and Practice	Initial sites operating by March 2004
Require CPS to Investigate all Reports of Abuse and Neglect	Allocate Funding	Initial commitment made by legislature October 2003
Require Use of Professional Risk Assessment Tool by CPS Case Managers	Revise CPS Policy	Tool implemented beginning in January 2004
Standardize the Reporting Process for Mandatory Reporters	Revise CPS Policy	New process operating by March 2004
<b><u>Develop a Statewide Prevention System</u></b>		
<b><u>Clarify Mission and Role of Child Protective Services</u></b>		
Expand Healthy Families Arizona	Allocate Funding Amend Law*	Legislation proposed January 2004. Additional commitment made by legislature July 2004
Develop a Model for Addressing Issues of Safety, Poverty and Economic Security for Children and Families	New Policy and Practice	Policies operating by March 2004
Support Intervention Strategies for Older Children	Evaluate Funding Priorities	Evaluation to begin January 2004
Inventory Prevention Programs to Identify Unmet Need and Strengthen Existing Services	None	Inventory Created by March 2004
Amend Definition of Child Protective Services to Clarify Role	Amend Law*	Legislation proposed October 2003
Establish Alcohol and Drug Abuse as a Factor in Determining Child Abuse/Neglect and Develop Medical Protocols to Identify Substance Exposed Newborns and Treat Appropriately	Amend Law	Legislation proposed October 2003 and request for national protocol already submitted
Modify the Legal Standards for Substantiating Abuse/Neglect and Allow Central Registry to Be Checked for Employment Purposes	Amend Law*	Legislation proposed October 2003

\*Changes required would address Arizona Revised Statutes and would require conforming rules, changes to policy and training.

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<b><u>ACTION</u></b>	<b><u>CHANGE(S) REQUIRED</u></b>	<b><u>TIME FRAME</u></b>
<b><u>Deliver Timely, Effective Services to Children and Families Provide Adequate Support for Both Children and Families Served by the System and Those Who Provide Services</u></b>		
Ensure Immediate Behavioral Health Assessments of Children Who Have Been Removed from Their Homes	Revise BHS Policy	Policy effective by September 2003
Ensure Immediate Delivery of Health Care and Behavioral Health Care to Children Involved with CPS	New Policies and Practice	New policies operating by July 2004
Maximize Draw Down of Federal Funds and Apply for All Available Grants	Enhanced Policy and Practice	New policies operating by March 2004
Ensure Delivery of Alcohol and Substance Abuse Services by Replicating the Arizona Families F.I.R.S.T. Model	Enhanced Policy and Practice	New policies operating by July 2004
Amend Education Laws to Meet Needs of Children in the CPS System	Amend Law*	Legislation proposed January 2004
Rewrite Confidentiality Laws To Allow Information to be Shared with Those Having a Legitimate Interest	Amend Law*	Legislation proposed by October 2003
Manage DES to Improve Access to All Services and Co-locate Community Partners, Including Domestic Violence Specialists and Faith-Based Organizations, within the Agency	New DES Practice	Initial sites operating by July 2004
Strengthen DES Local Advisory Boards By Creating Community Network Teams to Provide for Appropriate Services in Local Communities	New DES Practice	Plans to be written by July 2004
Reduce CPS Caseloads to Match National Standards So Investigations and Appropriate Follow-up Can Be Accomplished	Allocate Funding	Initial commitment made by legislature October 2003
Ensure Appropriate Classification and Support of CPS Case Managers	Allocate Funding	Initial commitment made by legislature October 2003
Provide Supportive Services for CPS Case Managers to Retain a Professional Workforce and Recruit New Workers	Enhanced Policy and Practice	New policies operating by July 2004
Revise and Expand Training Opportunities for Case Managers, Supervisors and Related Staff	Enhanced Policy and Practice	New policies operating by July 2004
Increase Reimbursement Rates for Foster Parents	Allocate Funding	Initial commitment made by legislature July 2004
Revise the Foster Care System to Retain Quality Foster Families and Recruit More Families Meeting Cultural and Other Special Needs of Children	Enhanced CPS Policy and Practice	New policies operating and recruitment efforts launched by March 2004
Create Alternatives to Filing a Formal Dependency Case That Require Families to Participate in Services	New Law*	Legislation proposed by January 2004
Develop Intensive Family Reunification Services	Enhanced CPS Practice	New practice identified by October 2004
Create Mentoring Program for Foster Youth Transitioning into Adulthood	Enhanced CPS Policy and Practice	New policies operating by January 2004
Stabilize Placements and Enhance Systems of Support to Maintain Permanent Homes	Enhanced CPS Policy and Practice	Policies operating by March 2004
Respect Kinship Placements and Involve Them More in Decision-making for the Child and Family	Enhanced Policy and Practice	Policies operating by March 2004

\*Changes required would address Arizona Revised Statutes and would require conforming rules, changes to policy and training.

## **Summary of Action Plan for the Reform of Arizona's Child Protection System**

<b><u>ACTION</u></b>	<b><u>CHANGE(S) REQUIRED</u></b>	<b><u>TIME FRAME</u></b>
<b><u>Increase Community Involvement in the Child Welfare System</u></b>		
Expand Role of Community Volunteers, Including Faith-Based Organizations	New CPS Policy and Practice	Policies operating by March 2004
Support Consumer Involvement in Design and Oversight of the CPS System and Improve Response to All Constituents, Including Awareness of the Ombudsman Office	Enhanced CPS Policy and Practice	Policies operating by January 2004
Organize a State Foster Youth Advisory Board and Ensure They Have A Voice in Implementing Changes to the System	Appoint Board	Board operating by January 2004
Partner with National Groups to Implement State of the Art Practices Shown to Improve Safety, Permanency and Well-being	Enhanced CPS Policy and Practice	Establish initial partnerships by January 2004
Appoint an Advisory Committee Responsible for Oversight of the Implementation of This Action Plan	Appoint Committee	Committee appointed by November 2003
Support Process for Continued Public Input	New Practice	Ongoing
Improve Public Awareness and Education about CPS	New Policies and Practice	Policies operating by January 2004
Expand Open Hearing Pilot to Rural Locations	Amend Law*	Legislation proposed by October 2003
Keep Members of the Public Informed as to Progress of Reform	New Practice	Updates provided regularly

\*Changes required would address Arizona Revised Statutes and would require conforming rules, changes to policy and training.

## Create a Multi-Disciplinary Response to Reports of Abuse and Neglect

Arizona must adopt a response system, that provides for the joint investigation of CPS and law enforcement on the most serious, high risk cases of child abuse and neglect and appropriate coordination of CPS and community based providers on lower risk cases. We must develop investigative processes that are multi-disciplinary, incorporating as appropriate other professions such as medical and behavioral health personnel and domestic violence specialists.

### **Action 1.0: Require Joint Investigations by CPS and Law Enforcement.**

I will propose legislation *in the special session* that requires joint investigations by CPS investigators and law enforcement officers on all reports where the allegation if true would constitute felony abuse or neglect. This legislation will require that a written interagency protocol be implemented within 90 days in each county by the county attorney, law enforcement agencies, and CPS investigative offices in that region. Each protocol must set forth specific procedures for joint investigations, including a simple process for notification of reports, standards for investigating specific types of abuse and neglect (including response timelines), provisions for information sharing, and directions for coordinating with other professional disciplines. These protocols must be reviewed annually in cooperation with the Governor's Children's Justice Task Force. This legislation must also mandate multi-disciplinary training of both professionals and require enhanced training of law enforcement officials in an understanding of CPS policies and practices and enhanced training of CPS investigators in forensic interviewing and processes. This legislation will help ensure the collection of evidence in a coordinated, timely manner to all reports of potential criminal abuse.

### **Action 1.1: Require Referral of Criminal Abuse to County Attorney for Prosecution.**

I will propose legislation *in the special session* that requires law enforcement agencies to refer all cases for which there is probable cause to believe that criminal abuse has occurred to county attorney officials for prosecution. County attorney officials will be required to review each of those cases and report back to the law enforcement agency and CPS as to the disposition of that referral within 90 days.

### **Action 1.2: Expand Use of Arizona's Child Advocacy Centers.**

There are currently eleven child advocacy centers in Arizona, which co-locate key disciplines such as CPS, law enforcement, prosecutors, medical personnel, psychologists, and domestic violence specialists, under one roof who share responsibility for responding to

severe abuse and neglect situations. By bringing together all relevant disciplines at one time, these Centers reduce the need for multiple interviews that may re-traumatize and re-victimize the child and provide a forum for quickly determining what services a child and family needs. We must identify additional funding sources for these centers through cities, counties, and federal grant opportunities with the goal of expanding the number of cases these Advocacy Centers serve and opening new centers in areas that are not currently supported by one.

### **Action 1.3: Co-Locate Law Enforcement, Behavioral Health, and Domestic Violence Professionals in CPS Offices.**

To further the ability for CPS and law enforcement agencies to do joint investigations, I am inviting local law enforcement agencies to co-locate law enforcement officers in designated CPS investigative offices, particularly in urban areas that are not adequately served by a Child Advocacy Center. I am also extending the invitation to behavioral health professionals and domestic violence specialists.

### **Action 1.4: Require CPS to Investigate all Reports of Abuse and Neglect.**

CPS must ensure that an appropriate safety assessment has been conducted on all reports of potential abuse and neglect, including those categorized as low risk. To achieve this, I will seek additional state general funding in *the special session* in the amount of \$3,773,000, which when combined with available federal dollars will fund 142 additional CPS investigators and staff. These additional investigators will allow CPS to be the first responder on all reports in order to investigate whether children are safe and assess the level of risk to the children. When CPS intervention is required due to safety issues for the child, services to reduce future risk shall be specified in a family service plan that is developed to the extent possible with input from the family. The plan shall be individualized for each member of the family and may involve an array of services including, but not limited to, out of home placement; intensive in home services, court ordered community or agency interventions, or non-court ordered services agreed to by CPS and the family. Services may be provided directly by CPS staff, by contracted providers, by other agencies or community resources, or arranged and paid for directly by the family. Inability to arrange required, non-court ordered services, refusal of such services or failure to comply with non-court ordered services may be reason to seek court intervention. If safety issues are of such low risk that services can be voluntary or can be rejected by the family, CPS may make referrals to available community resources.

## Create a Multi-Disciplinary Response to Reports of Abuse and Neglect

### **Action 1.5: Require Use of Professional Risk Assessment Tool.**

CPS is developing, in coordination with national consultants, a new tool for assessing risk to a child, which will be implemented statewide beginning in Maricopa County in January 2004. This tool will assist CPS case managers in providing an appropriate service delivery response based on the level of risk to the child, including the severity, chronicity, and immediacy of risk, rather than a response focused solely on a specific incident of child abuse or neglect.

### **Action 1.6: Standardize the Reporting Process for Mandatory Reporters.**

Arizona law requires doctors, school personnel and certain other professionals to report abuse and neglect to CPS. While these reporters may be extensively involved in the family's life, there is no standardized process or tool for making the report, nor a process for informing the mandatory reporter that an investigation has been completed or of its results. I have directed CPS to work with a team of representatives from the professions who are mandated reporters to design a standardized process, including training, and begin its use by March 2004.

## Develop Statewide Prevention System

Reforming the child welfare system, requires an entire rethinking of how and when services are delivered to children and families. Services must be provided to families who may be at risk of child maltreatment before that abuse or neglect ever occurs and outside of the stigma that is often associated with the child protection system. Moreover, since poverty can be a key contributing factor to child abuse and neglect, we must connect families with child care, employment opportunities and nutritional assistance as soon as those needs are identified. Unfortunately, Arizona's prevention programs serve only a fraction of the children and families that could benefit from prevention services. The Legislature must recognize that these programs are the most cost effective means of improving outcomes for Arizona's children and families and contribute state dollars accordingly.

### **Action 2.0: Expand Healthy Families Arizona.**

To begin the shift to a statewide prevention system, in the 2004 legislative session, I will propose that funding for Healthy Families Arizona be doubled. This nationally recognized program provides a statewide system of home visitation services for families with newborns that builds on family strengths, promotes health, optimizes child development, and prevents child abuse and neglect. I also will propose legislation to amend the law to allow the Healthy Families program to serve families that may have a prior substantiated report of abuse or neglect and to provide services during pregnancy.

### **Action 2.1: Develop a Model for Addressing Issues of Safety, Poverty and Economic Security for All Children and Families.**

The vast majority of families in the child welfare system have significant economic problems. The National Incidence Study of Child Abuse and Neglect published by the U.S. Department of Health and Human Services (1996) states that a family with an income of \$15,000

per year or less is 22 times more likely to be in the child welfare system as a family with an income of \$30,000 per year or more. DES deals with issues of poverty in many of its program areas but often these services are not readily available to high risk or vulnerable families. DES Director David Berns developed approaches in his previous positions that transformed the economic support programs into the primary prevention and early intervention programs for at risk families. Mr. Berns' main charge is to work with his staff and with the communities throughout Arizona to develop our own model for addressing issues of safety, poverty and economic security for all children and families in our state. The resources of the entire Department of Economic Security must be invested in the safety and well being of children and their families.

### **Action 2.2: Support Intervention Strategies for Older Children**

I have directed the Juvenile Justice Commission, responsible for funding efforts aimed at improving the juvenile justice system, to develop strategies for linking delinquency prevention efforts and child welfare reform. This includes advising policies concerning children who are dual wards of the State and exploring how to better coordinate state and federal funding to serve these children.

### **Action 2.3: Inventory Prevention Programs to Identify Unmet Need and Strengthen Existing Services**

I have directed staff in my office to work with the members of my Children's Cabinet to create an inventory of all prevention programs for children and families, particularly those funded through federal or private grants, and identify how these programs may be strengthened by pulling the programs and dollars together, where appropriate.



## Clarify Mission and Role of Child Protective Services

Arizona must give clear direction to CPS investigators and case managers, law enforcement officials, and mandatory professional reporters - as well as to the community - regarding the role of Child Protective Services. Current laws must be modified to be sure the message is consistent.

### **Action 3.0: Clarify Role of CPS.**

I will propose legislation *in the special session* to amend the definition of Child Protective Services in A.R.S. section 8-801 to reflect that the mission of CPS is to assess the safety of children and intervene to protect children from harm. This definition must emphasize the role of CPS in ensuring the ongoing best interests, safety and protection of a child from foreseeable danger, including the coordination of services to strengthen the family unit and prevent, intervene and treat child abuse and neglect.

### **Action 3.1: Establish Substance Abuse As A Factor in Determining Abuse/Neglect and Develop Medical Protocols For Substance Exposed Newborns.**

I will propose legislation *in the special session* to amend the definitions of abuse/ neglect in A.R.S. section 8-201 to clarify that alcohol and drug abuse is a factor that must be considered by CPS in determining whether a

parent, guardian or custodian has abused and/or neglected a child, including newborns and infants. I have also directed CPS to work with Arizona's medical organizations, including hospitals, to develop medical protocols to identify substance-exposed newborns in order to provide adequate care and safety for these particular children at risk. Following the work of the Governor's Commission, a request for a national protocol has already been made to the American Academy of Pediatrics by its Arizona Chapter.

### **Action 3.2: Modify the Legal Standards for Substantiating Reports of Abuse or Neglect.**

I will propose legislation *in the special session* to modify the legal standards for substantiating reports of abuse or neglect. This legislation will provide for a legal standard (probable cause) in finding that a child has been abused or neglected and a higher standard (preponderance of the evidence) in actually naming the perpetrator that caused the abuse or neglect and entering that person's name on a centralized registry. This higher standard will allow for the centralized registry to be checked for state agency licensing, contracting and employment in both the public and private sector when a person applies to work directly with children.

## Deliver Timely, Effective Services to Children and Families

Arizona must transform its currently isolated child welfare system into an integrated system, which provides timely, effective services that are driven by the needs of each child and family. Child welfare clients often require a multi-agency system response to meet their needs. Last January, I created the Children's Cabinet, made up of (1) directors from state agencies that serve children, including DES, the Department of Health Services (DHS), AHCCCS (the Medicaid agency) and the Arizona Department of Juvenile Corrections (ADJC), (2) representatives from the court, and (3) the Department of Education, to improve delivery of services to Arizona's children and families. Each of these agency heads must instruct their staff to deliver timely, accessible services across the agencies for children involved in the CPS system that recognize the rich cultural diversity of this state (including twenty-one federally recognized Indian Tribes), the disproportionate representation of children of color in the foster care system, and the challenges presented by Arizona's geographic expanse.

### **Action 4.0: Ensure Immediate Behavioral Health Assessments of Children Who Have Been Removed from Their Homes.**

Children who have been removed from their homes must have access to timely behavioral health

assessments. Last month, Behavioral Health Services implemented a new policy that requires its contract providers to respond to a request from CPS for an initial assessment of the child within 24 hours of being notified that a child has been removed from his or her home. Previously, it took the providers as long as 30 days to respond.

### **Action 4.1: Ensure Immediate Delivery of Health Care and Behavioral Health Care to Children Involved with CPS.**

I have instructed the Directors of the four agencies responsible for delivering health care to children in CPS care - DES, DHS, AHCCCS and ADJC - to make delivery of these services to this vulnerable population a top priority. Specifically, I have directed DES and AHCCCS to maximize Medicaid reimbursements for children in the foster care system; the goal is to increase the percentage of children who qualify from 80% to the 90%. DES and AHCCCS must ensure that health care services for children who come into CPS care with an existing AHCCCS health plan are not disrupted. Working with the county juvenile probation departments, the agencies must address the health care needs of children in both the CPS and juvenile justice system. I have also instructed DES and DHS to expand current efforts to co-locate in designated CPS

## Deliver Timely, Effective Services to Children and Families (cont)

offices behavioral health professionals, particularly those with authority to make decisions regarding what services can be provided. Contracts with networks that provide behavioral health services must require that providers have an understanding of the unique service needs of children in foster care.

### **Action 4.2: Maximize Draw Down of Federal Funds and Apply for All Available Grants.**

I have instructed DES, DHS, AHCCCS and ADJC to determine how Arizona can maximize the draw down of non-capped, federal funds, including increasing the federal financial participation for services to children who are in both the CPS and delinquency systems. This includes active participation of the agency directors at the national level regarding proposed improvements to the current federal financing mechanisms governing foster care. There are also numerous grant opportunities that have in the past been overlooked by this state. I recently organized the Federal Interagency Grant Team to provide a forum for coordinating across state agencies efforts to identify and apply for various grant opportunities, including those applicable to child welfare. DES will also pursue a waiver of the federal foster care funding (Title IV-E) to draw down additional federal support for several of these initiatives.

### **Action 4.3: Improve Delivery of Alcohol and Substance Abuse Services By Replicating the Arizona Families F.I.R.S.T. Model.**

I have directed DES and DHS to improve the delivery of alcohol and drug abuse services to families who are in the CPS system. Using the Arizona Families F.I.R.S.T. program as a model, I have instructed the agencies to identify ways to redirect existing programs and dollars to ensure that families are receiving the most effective alcohol and substance abuse treatment available. Arizona Families F.I.R.S.T. provides a continuum of community-based, family-centered substance abuse treatment services for parents reported to CPS whose substance abuse has been identified as a significant barrier to maintaining or reunifying the family. In addition to core substance abuse treatment and recovery services, other essential support services are provided to assist the entire family in recovery.

### **Action 4.4: Amend the Education Laws to Meet the Needs of Children in the CPS System.**

I will propose legislation in the 2004 regular session to meet the educational needs of children who are in the child protection system. Traditionally, education has not been coordinated in the child welfare system. The legislation will eliminate barriers that currently prevent or delay exchange of school records and disrupt delivery of consistent school instruction to children who are in the care of CPS. This legislation will clarify and expand the education laws governing who may legally

serve as a surrogate parent (to help a child receive special education services) when a child is involved with the CPS system.

### **Action 4.5: Rewrite Confidentiality Laws So All Information Can Be Shared With Those Having a Legitimate Interest.**

I will propose legislation in *the special session* to amend state laws regarding confidentiality of CPS records, which are currently confusing, complicated, and too restrictive. The legislation will ensure that records and information are promptly shared in a safe and responsible manner with persons having a legitimate need for the information, including foster families, providers, educators, and other state agencies.

### **Action 4.6: Manage DES To Improve Access to All Services and Co-Locate Community Partners Within the Agency.**

I have directed DES to combine different programs in the same office, such as CPS, employment services, child care services, and programs for developmentally disabled children, and create cross-functional positions to allow clients to have a single point of contact for all DES programs and services. Several major sites will be fully integrated by July 2004. I have also directed DES to expand the co-location of other child welfare services and community providers in its offices, including domestic violence specialists and representatives from faith-based organizations, to provide immediate access to these community partners and better opportunities for one-stop approaches.

### **Action 4.7: Strengthen DES Local Advisory Boards to Provide for Appropriate Services in Local Communities.**

I have instructed DES to create "Community Network Teams" throughout the state; these teams must submit a written plan by July 2004 to the DES Director identifying existing services, resources and family supports within that community (including all gaps in those services) and describing how that community proposes to deliver more services and better support for children, including protocols for the sharing of information. These teams will be built upon existing DES Local Advisory Boards and must include representatives from state agencies, community providers, families, educators, tribes, courts, victim advocates (including domestic violence specialists), faith-based and philanthropic organizations, and businesses. These teams must identify existing services in local communities that are currently underutilized by the child welfare system and look to blend funds wherever possible not only to broaden and strengthen the array of services in local communities, but to ensure that all resources are used efficiently.

## Provide Adequate Support for Both Children and Families Served by the System and Those Who Provide Services

There are many challenges facing those that provide support to the CPS System, including CPS investigators and case managers carrying caseloads well above the national standards without the resources to do their jobs, a lack of available foster homes, and inadequate support systems for foster families, relative placements, and group homes as well as children in the foster care system. The effect of turnover in these support groups often paralyzes an already fragmented system that does not respond adequately or timely to the needs of children and their families. We must recognize the valuable contributions of each of these supports and do whatever is necessary to keep them as partners in our child welfare system, including adequate reimbursements, appropriate assistance and open communication.

### **Action 5.0: Reduce CPS Caseloads to Match National Standards So Investigations and Appropriate Follow-up Can Be Accomplished.**

I am requesting additional state general funding *in the special session* in the amount of \$1,953,500, which when combined with federal dollars will fund 93 additional staff to meet Child Welfare League of America caseload standards: one caseworker for 12 CPS investigations each month; one caseworker for 15 children in out of home care; and one caseworker for 17 cases receiving in home services. The CWLA standards are the most relevant and accepted criteria currently available. These funds will also ensure that each CPS case manager has a cell phone and infant car seats. I have directed DES to work with DOA to deliver any reductions in state car fleets from other state agencies to CPS. I am also requesting \$103,500 to make technology improvements.

### **Action 5.1: Ensure Appropriate Classification of CPS Case Managers.**

I am working with CPS and DOA to ensure that all CPS case managers and supervisory staff, including those with bilingual abilities, are appropriately classified and paid accordingly. I am requesting \$1,665,000 *in the special session* for this compensation and classification.

### **Action 5.2. Provide Supportive Services for CPS Case Managers to Retain a Professional Workforce and Recruit New Workers.**

I have instructed CPS to provide case managers with necessary support services to carry out their difficult responsibilities. CPS will continue to assess ways to streamline its case management processes, eliminate unproductive tasks and assign appropriate tasks to support workers. The department has engaged staff and community partners in this review process. CPS must also ensure that staff has access to employee

assistance programs to help handle job related stress and the emotional nature of their work. CPS will continue to investigate reasons for case manager turnover, research best practices for enhancing retention and continuously monitor and improve performance in this vital area.

### **Action 5.3: Revise and Expand Training Opportunities for Case Managers, Supervisors and Related Staff.**

I have directed CPS to revise its training procedures for case managers, supervisors and related staff. CPS must provide quality training for new and existing staff, which includes quality supervision and practical classroom exercises, such as use of technology, preparation of court reports, processes for referrals and interviewing skills. I have directed CPS to expand its mentoring program to match new and experienced managers, to revise its Child Welfare Training Institute to provide additional practical skills, and to require all CPS staff to receive at least 24 hours of training annually after the first year of employment. Special emphasis must be given to improving supervisory skills to assure consistent implementation of training and practice statewide. Supervisors must know the training content and reinforce the knowledge, skills and abilities in daily practice. To accomplish this, I have instructed CPS to ensure the consistent delivery of the supervisor core curriculum and develop a continuing education program specifically focused on the CPS supervisors' professional development needs.

### **Action 5.4: Increase Reimbursement Rates for Foster Parents.**

I am requesting \$1,010,700 *in the special session* to increase the reimbursement rates for foster parents, which have not increased since 1996, to more nearly reflect the cost of care.

### **Action 5.5: Revise the Foster Care System to Retain Quality Foster Families and Recruit More Families that Meet Cultural and Other Special Needs of Children.**

I have directed CPS to revise the foster care system to ensure retention and recruitment of safe and stable foster families. Toward this effort, CPS has already streamlined its application process, including arranging for all home inspections to be conducted through DES instead of DHS. CPS must also focus on ways to retain good foster homes by providing adequate respite care, ensuring that all available information about the child is shared with the foster parents, and providing effective training (both developmental and hands on). By March 2004, CPS will launch, in coordination with my office, a statewide campaign to recruit and retain more foster

## Provide Adequate Support for Both Children and Families Served by the System and Those Who Provide Services (cont.)

families that meet the ethnic, cultural, linguistic, and special needs of children. CPS will include faith-based organizations in this effort. Additionally, my office and CPS will continue to support the newly created Arizona Association for Foster and Adoptive Parents, which is the collective voice for foster and adoptive parents. Their work is key to creating awareness about the need for foster parents, to effectively recruiting new families, and to enhancing mutual cooperation, coordination and communication between CPS and foster parents.

### **Action 5.6: Create Alternatives to Formal Dependency That Require Families to Participate in Services.**

I will propose legislation in *the special session* that provides for an alternative to filing a dependency petition where short term intervention appears likely to resolve risk issues and a parent or guardian stipulates to a case plan and participation in services. Unlike a pure voluntary arrangement, however, this alternative will provide for “protective supervision” through court oversight and the option for further court intervention if a parent refuses or fails to comply with services.

### **Action 5.7: Develop Intensive Reunification Services.**

I have instructed CPS to develop more services aimed at providing “transition” and “aftercare” to families for children returned home to assure safety and success of the reunification. These services must be individualized and supported by increased coordination with extended family, neighbors and local community supports.

### **Action 5.8: Create Mentoring Program for Foster Youth Who are Transitioning into Adulthood.**

Foster youth who have reached their 18<sup>th</sup> birthday are often left without critical supports to help them transition into adulthood, including how to make the connection to educational, job placement, health care, housing and community resources. I have directed CPS to help

foster youth make these important connections. CPS is already developing information on its web page for its teenage population regarding how to access these services. CPS is also implementing a youth mentoring program to match youth in foster care and independent living programs with those that have left foster care.

### **Action 5.9: Stabilize Placements and Enhance Systems of Support to Maintain Permanent Homes.**

CPS must keep children who are removed from their homes with extended families and in their own neighborhoods when safe. This will sustain existing relationships with teachers, friends and neighbors. When children need to be placed outside of their home community, efforts should be made to maintain this home as the sole placement for the child. These supports include (1) consideration of all potential placements with kin; (2) recruitment of foster and adoptive homes that match the child’s cultural, ethnic and linguistic needs; (3) expedited court processes; and (4) adequate behavioral health care supports for both the family and the child. Transitional support services that are responsive to the ongoing needs of the children and their birth, kinship and adoptive parents, must also be provided. For some children, family foster homes are not available or appropriate placements. When children need to be placed in shelters or group homes, CPS must share information about the child with these placements and must recognize and respect these providers as child welfare professionals.

### **Action 5.10: Respect Kinship Placements.**

Comments at the public forums illustrate how many relatives, including grandparents, do not feel valued, respected or trusted by the current child welfare system and believe they are viewed only as providers of services rather than key stakeholders. CPS must respect and honor the efforts of kin, include them more appropriately in decision-making processes, and reassess available support to help facilitate placing children in their care.

## Increase Community Involvement in the Child Welfare System

A message heard consistently and resoundingly throughout the Commission and public input process was the need for state government to actively engage the community in the child protection system to report abuse and neglect, to support children and families when a child has been removed, and to support families after reunification occurs. “Community” includes not only the traditional volunteers in the child protection system, such as Foster Care Review Board members and Court Appointed Special Advocates, but also faith-based organizations, philanthropic entities, the

corporate and business world, neighborhoods and individual members of the public. While the need for an increased role of the community is discussed throughout this Action Plan, the role of the collective community must be recognized in its own right as part of the solution in ensuring a healthy future for Arizona’s children. We must also do a better job of educating the public about the CPS system.

## Increase Community Involvement in the Child Welfare System (cont.)

### **Action 6.0: Expand Role of Volunteers, Including Faith-Based Organizations.**

Through the Community Network Teams, I have directed DES to expand the role of traditional and non-traditional community volunteers in the child welfare and protection system, particularly that of the faith-based community. I have also directed CPS to contact the State Foster Care Review Board about how that Board, consistent with its oversight function, can advise through its quarterly meetings, CPS administrators regarding service gaps or system problems it or the local review boards identify as part of their review of CPS cases, particularly as to areas where CPS does not currently meet federal standards. I am encouraging the Department of Education and the Administrative Office of the Courts to work with CPS to eliminate barriers, including duplicative training and fingerprinting requirements, for Court Appointed Special Advocates to become surrogate parents for children with special educational needs.

### **Action 6.1: Support Consumer Involvement in the Design and Oversight of the CPS System and Improve Response to All Constituents.**

As evidenced by the testimony received during the public input process, the CPS system suffers from a lack of trust and involvement by those very persons that the system is attempting to serve. Consumers of services such as foster care alumni, older youth currently in the system, kinship families, and parents who received services must be full partners in the design and oversight of the system. CPS must appropriately recognize and support these stakeholders through leadership training, reimbursement for expenses, compensation for significant contributions of time and, most importantly, respect for their views and expertise. I have also directed CPS, in coordination with my office, to improve day-to-day communications with clients and other constituents and to increase consumer awareness of the role of the Ombudsman's Office, which is an independent entity with staff designated to review individual case concerns regarding CPS.

### **Action 6.2: Partner with National Groups to Implement State of the Art Practices Shown to Improve Safety, Permanency and Well Being.**

Several practices both in Arizona and nationwide are demonstrating effectiveness in improving safety, permanency and well being for children and their families. I have instructed DES to continue to forge partnerships with groups such as national resource centers, foundations specializing in child welfare, national organizations such as Child Welfare League of America, American Public Human Services Association, and others who may help to identify, fund and implement the best strategies for Arizona. DES must continue to give particular attention to concurrent

planning that simultaneously pursues both family reunification and an alternative plan for permanency. Other promising strategies such as the Annie E. Casey Foundation's "Family to Family Program" and Illinois' implementation of accreditation must also be closely evaluated and pursued when beneficial to Arizona.

### **Action 6.3: Organize a State Foster Youth Advisory Board and Ensure that They Have a Voice in Implementing Changes to the CPS System.**

I have directed CPS to immediately organize a state Foster Youth Advisory Board comprised of young adults currently in the CPS system as well as foster care alumni. This Board will identify and address issues related to youth in out-of-home care and provide recommendations for program improvements, particularly as to the transition from foster care to independent living. Youth in the foster care system must be a leading voice in implementing reform.

### **Action 6.4: Appoint an Advisory Committee Responsible for Oversight of the Implementation of This Action Plan.**

This Fall I will appoint an Advisory Committee from the child welfare community, which will meet quarterly to oversee implementation of this Action Plan.

### **Action 6.5: Support Process for Continued Public Input.**

The public testimony and written comments have provided me with insightful, meaningful input on the process of continuous improvement of Arizona's child welfare system. Please continue to provide me with your thoughts and concerns through my Policy Advisor for Children's Services, Tracy L. Wareing at [twareing@az.gov](mailto:twareing@az.gov).

### **Action 6.6: Improve Public Education and Awareness of the CPS System.**

My office and CPS are launching a public awareness and education initiative to increase knowledge and accountability of the system. This enhanced communication is designed to increase public understanding of the mission and role of CPS and build public trust in the system. Using public and private resources, as appropriate, this initiative will also expand communications about the services available for children and families, recruit foster and adoptive families, and promote community involvement in improving the CPS system.

### **Action 6.7: Provide Greater Insight into the CPS Dependency System to the Public.**

I will propose legislation *in the special session* to expand the pilot to open CPS dependency hearings to include at least two rural counties (the pilot, which began September 18, is currently only in Maricopa

## Increase Community Involvement in the Child Welfare System (cont.)

County). This follows a national trend to open these types of proceedings as a means of increasing public awareness and system accountability. The pilot law calls for an evaluation of the impact and effectiveness of the program and the provision of an interim report by January 1, 2004 and a final report by October 15, 2004. Unless the evaluation identifies otherwise, I intend to propose legislation in the first session following completion of the pilot, to create a presumption of openness for all dependency cases statewide, with discretion left to the court, including at the request of a foster youth, to close all or a portion of the proceedings to the public.

### **Action 6.8: Keep Members of the Public Informed as to Progress of Reform.**

My office, CPS and the members of my Children's Cabinet are committed to bringing you regular updates regarding progress in improving Arizona's child protection and child welfare systems. Regular updates will be posted on my web page as well as those of the state agencies.

## **Indicators of Improvement in Arizona's Child Welfare System**

### **Prevention**

- Decreased number of families needing to enter the child protection system
- Increased number of families served by successful prevention programs

### **Investigation and Response**

- Decreased number of child fatalities as a result of child abuse or neglect
- Increased timeliness of initiating investigations
- Increased number of investigations jointly responded to by law enforcement and CPS
- Increased use of multi-disciplinary teams to respond to and investigate reports of child abuse and neglect
- Increased number of prosecutions of criminal child abuse

### **Service Delivery**

- Increased provision of timely and comprehensive assessments of the behavioral health, medical and educational needs of children in the CPS system
- Increased number of children and families who participate in case planning that includes the provision of services to meet the child's behavioral health, medical, and educational needs
- Increased access to behavioral health services by children and families
- Increased training about the co-occurrence of domestic violence and child abuse and delivery of needed services to victims
- Increased number of providers, specialists and others with child welfare experience who understand the unique needs of children who have been abused or neglected
- Increased number of available services that are accessible, community based, child centered, and focused on the strengths of the family
- Increased number of available services that are responsive to cultural, ethnic and linguistic needs of the child and family
- Increased number of faith-based organizations, businesses and other community and local organizations participating in the delivery of services to children and families
- Increased drawn down of Federal Funds, including foster care and adoption assistance (Title IV-E funds)
- Increased number of children receiving health care services through Medicaid (Title XIX funds)

### **Support**

- Increased number of available foster care homes
- Reduced number of children in institutional and group home care
- Increased number of children who have been in foster care less than 12 months who have no more than two placements
- Increased number of children who are placed with siblings
- Increased number of children who are safely reunified with their parents or caretakers within 12 months of removal from home
- Increased number of children who achieve adoption within 24 months
- Decreased number of children who re-enter foster care within twelve months of being returned home
- Improved rate of retention of CPS case managers
- Increased number of CPS staff with bilingual abilities